

2013 DRAFTING REQUEST

Bill

Received: 10/18/2013 Received By: agary
Wanted: As time permits Same as LRB:
For: Janet Bewley (608) 266-7690 By/Representing: Lori Youngman
May Contact: Drafter: agary
Subject: Beverages Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Bewley@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Retail license quotas; additional license if existing licensees do not comply with ADA

Instructions:

Based on LRB-2679/2, but period is triggered by clerk notice, not bill's effective date; within 9 months of notice

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 10/18/2013	csicilia 10/22/2013		_____			
/P1	agary 10/28/2013		jfrantze 10/22/2013	_____	srose 10/22/2013		Local
/1		csicilia 10/28/2013	jfrantze 10/28/2013	_____	lparisi 10/28/2013	lparisi 12/11/2013	Local

FE Sent For:

at
Intro

<END>

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1/?	agary	1 gjs 10/22 13	1 gjs 10/22 13	1 gjs 10/22 13			

FE Sent For:

<END>

“RESEARCH APPENDIX”

... Drafting History Reproduction Request Form ...



 **DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN**

(Request Made By: ARG) (Date: 10 / 18 / 13)



Note:

***BOTH DRAFTS SHOULD HAVE THE
SAME “REQUESTOR”***

(exception: companion bills)

  Please transfer the drafting file for
2011 LRB _____ (For: Rep. / Sen. _____)
to the drafting file for
2013 LRB _____ (For: Rep. / Sen. _____)

-----OR-----

  Please copy the drafting file for
2013 LRB -2679 / 2 (include the version) (For: Rep. / Sen. Bewley)
and place it in the drafting file for
2013 LRB -3468 (For: Rep. / Sen. Bewley)

 Are These “Companion Bills” ?? ... Yes (No)

If yes, who in the initial requestor’s office authorized the copy/transfer of the drafting history

(“guts”) from the original file: _____



State of Wisconsin
2013 - 2014 LEGISLATURE

in
10/18



LRB-~~2010~~ - 3468/P
ARG:eev:eev

2013 BILL

wanted
by 10/22

RMNR
cjs

Gen Cat

1 AN ACT *to create* 125.02 (5m) and 125.51 (4) (br) 1. g. of the statutes; relating
2 to: retail liquor license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies current accessibility standards for public accommodations under the federal Americans with Disabilities Act (ADA). The additional "Class B" license may be issued only for an establishment that satisfies ADA public accommodation accessibility standards for new construction.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

SECTION 1

SECTION 1. 125.02 (5m) of the statutes is created to read:

125.02 (5m) "Federal accessibility standards" means the standards under the accessibility guidelines for Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

SECTION 2. 125.51 (4) (br) 1. g. of the statutes is created to read:

125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], add one license if on both the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the 10th month beginning after the effective date of this subd. 1. g. ... [LRB inserts date], no establishment operated under a "Class B" license in the municipality satisfied federal accessibility standards, if the total number of licenses issued by the municipality immediately prior to the effective date of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses authorized under this subdivision, and if the additional license under this subd. 1. g. is issued for an establishment that satisfies federal accessibility standards for new construction.

SECTION 3. Nonstatutory provisions.

(1) Upon request by a resident of a municipality who knows or has reason to believe that none of the "Class B" licensed establishments in the municipality satisfy federal accessibility standards, as defined in section 125.02 (5m) of the statutes, as created by this act, the clerk of the municipality shall provide notice to each "Class B" licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the statutes, as created by this act.

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3468/Plins
ARG:.....

1

2

INSERT 2-5:

3

SECTION 1. 125.51 (4) (br) 1. g. of the statutes is created to read:

4

125.51 (4) (br) 1. g. Add one license if the clerk of the municipality has provided notice under par. (m) and, 270 days after this notice, no establishment operated under a "Class B" license in the municipality satisfies federal accessibility standards, if the total number of licenses issued by the municipality immediately prior to the notice equaled the maximum number of licenses authorized under this subdivision, and if the additional license under this subd. 1. g. is issued for an establishment that satisfies federal accessibility standards for new construction.

11

SECTION 2. 125.51 (4) (m) of the statutes is created to read:

12

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16

s. 125.51 (4)(br) 1. g.

17

par.

18

19

20



State of Wisconsin
2013 - 2014 LEGISLATURE

TODAY



in

LRB-3468/1

p/28

ARG:cjs:cjs

stays

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

7/c from Lori - looks good, wants /1

GenCat

- 1 AN ACT ~~to create~~ 125.02 (5m), 125.51 (4) (br) 1. g. and 125.51 (4) (m) of the
2 statutes; **relating to:** retail liquor license quotas.

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SECTION 3. 125.51 (4) (m) of the statutes is created to read:

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(END)

Parisi, Lori

From: Hoey, Joseph
Sent: Wednesday, December 11, 2013 12:35 PM
To: LRB.Legal
Subject: Draft Review: LRB -3468/1 Topic: Retail license quotas; additional license if existing licensees do not comply with ADA

Please Jacket LRB -3468/1 for the ASSEMBLY.